

MINUTES OF THE REGULAR CITY COUNCIL MEETING
September 15, 2020; 5:30 p.m.

CALL TO ORDER

Invocation was given by Andrew Lee and the pledge of allegiance was recited.

A regular meeting of the Council of the City of North Platte, Nebraska was convened in open and public session at 5:30 p.m. in the City Hall Council Chambers at 211 West 3rd Street. Present were Nisley, Backenstose, Petersen, Lucas, Lee, Carman, Ostendorf. Rieker was absent at roll call but entered the meeting at 5:35 p.m. Mayor Dwight Livingston presided and City Clerk Angela Gilbert recorded the proceedings.

Mayor Livingston stated that a current copy of the Open Meetings Act of Nebraska is posted on the wall at the back of the Council Chambers.

Notice of the meeting was given in advance thereof by posting in three public places in the City as follows: North Platte Public Library, Lincoln County Courthouse and City Hall; the designated method for giving notice (Certificate of Posting) is attached to these Minutes. Proceedings hereafter shown were taken while the meeting was open to the attendance of the public.

CONSENT AGENDA

Lee moved and Carman seconded the motion to approve the Consent Agenda as follows:

1. Approve Minutes of regular meeting on September 1 and special meeting on September 3, 2020.
2. Accept bids and award contract to Eaton Omaha Power Center (OPC), Omaha, Nebraska for the purchase of one 15 kV Protected Aisle Switchgear for the Augusta Substation in the total amount of \$507,962.00.
3. Adopt recommendation by the North Platte Planning Commission for approval of Lakeview West Third Addition and a variance to the City of North Platte Municipal Code Section 155.092 (C) to allow a cul-de-sac at 839 feet with a 55 foot turnaround radius.

Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lucas, Lee, Carman, Rieker, Ostendorf. "NAY": None. Motion carried.

ITEM #4
AMEND FUTURE
LAND USE MAP

Mayor Livingston declared a Public Hearing on a recommendation by the North Platte Planning Commission for an amendment to the North Platte Comprehensive Plan 2011 Future Land Use Map to amend certain lands from Agricultural/

Vacant, Parks and Recreation, and Public/Quasi-Public to Industrial located east of Newberry Access Road lying between I-80 and Hwy 30.

No one appeared.

Lee moved and Petersen seconded the motion to close the hearing. Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lucas, Lee, Carman, Rieker, Ostendorf. "NAY": None. Motion carried.

Lee moved and Petersen seconded the motion to approve the amendment to the North Platte Comprehensive Plan 2011 Future Land Use Map. Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lucas, Lee, Carman, Rieker, Ostendorf. "NAY": None. Motion carried.

ITEM #5
APPROVE ORD 4043

Mayor Livingston declared a Public Hearing on Ordinance No. 4043 to rezone certain lands from an I-1 Light Industrial District to an I-2 Heavy Industrial District located east of Newberry Access Road lying between I-80 and Hwy 30.

Donna Tryon, 820 South Bryan, asked the Council not to increase the traffic on East Philip Avenue, especially the truck traffic.

Gary Person, President of North Platte Chamber/DEVCO, told the Council he strongly encourages the rezoning as the land fits the description of heavy industrial and is a good location since it is so close to the Interstate and the Highways.

Mark Woods, 902 North Emory, told the Council he is in favor of the rezoning and hopes it will provide some well-paying jobs. He also stated they should look at rezoning other sites as well.

Lee moved and Petersen seconded the motion to close the hearing. Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lucas, Lee, Carman, Rieker, Ostendorf. "NAY": None. Motion carried.

Lee moved that the rule requiring Ordinance No. 4043 to be read on three different dates be suspended. Carman seconded the motion. Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lee, Rieker, Ostendorf. "NAY": Lucas, Carman. Motion carried.

Mayor Livingston instructed Ordinance No. 4043 to be read one time by title only. Lee moved and Carman seconded the motion to approve Ordinance No. 4043. Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lucas, Lee, Carman, Rieker, Ostendorf. "NAY": None. Motion carried.

ITEM #6
CONDITIONAL USE
PERMIT, 3010
SITTING BULL
ROAD

Mayor Livingston declared a Public Hearing on an application by Higley, LLC, owner, and Rev Development LLC, purchaser, for a Conditional Use Permit to allow a mixed use development (apartments or living quarters situated in an office or business building) in a B-2 Highway Commercial District located at 3010 Sitting Bull Road on property described as Lot 3 Higley First Subdivision, North Platte, Nebraska.

No one appeared.

Lee moved and Carman seconded the motion to close the hearing. Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lucas, Lee, Carman, Rieker, Ostendorf. "NAY": None. Motion carried.

Lee moved and Rieker seconded the motion to approve the Conditional Use Permit. Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lucas, Lee, Carman, Rieker, Ostendorf. "NAY": None. Motion carried.

ITEM #7
ORD 4036 ON 3RD
READING

Mayor Livingston instructed Ordinance No. 4036 amending Chapter 151 Housing Maintenance and Occupancy Code Section 151 of the City of North Platte Code of Ordinances relating to adoption of the 2018 International Property Maintenance Code as amended, to be read by title on its third reading. Lee moved and Ostendorf seconded the motion to approve Ordinance No. 4036 on its third reading.

Alisha Forbes, Director of Mid-Plains United Way, thanked the committee members and the City Council for making changes for the betterment of the community and those that live in homes that are not safe.

Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lucas, Lee, Carman, Ostendorf. "NAY": Rieker. Motion carried.

ITEM #8
SCHEDULE
OF BENEFITS

Mayor Livingston told the Council they were sitting as a Board of Equalization to approve Schedule of Benefits for Water Connection District No. 22 (on East 10th Street from the

FOR WATER
CONNECTION 22

Roosevelt intersection to 1050 feet east).

No one appeared.

Lee moved and Carman seconded the motion to close the Board of Equalization and approve the Schedule of Benefits. Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lucas, Lee, Carman, Rieker, Ostendorf. "NAY": None. Motion carried.

ITEM #9
ASSESS SEWER
EXTENSION 349

Mayor Livingston told the Council they were sitting as a Board of Equalization to approve the Assessment Schedule for Sewer Extension District No. 349 (on South Buffalo Bill Avenue (4400-4500 Block) to serve Otter 1st Subdivision).

No one appeared.

Lee moved and Petersen seconded the motion to close the Board of Equalization and approve the Assessment Schedule. Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lucas, Lee, Carman, Rieker, Ostendorf. "NAY": None. Motion carried.

ITEM #10
USER FEES FOR
2020-2021

Lee moved and Petersen seconded the motion to adopt the Resolution setting User Fees for fiscal year 2020-2021. Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lucas, Lee, Carman, Rieker, Ostendorf. "NAY": None. Motion carried.

ITEM #11
INCREASE TRANSIT
SYSTEM 20 MILES
OUTSIDE NORTH
PLATTE

Lee moved and Lucas seconded the motion to adopt the Resolution to increase the service area of the North Platte Public Transit System to include 20 miles outside the City limits of North Platte and approve the fees that are charged accordingly. Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lucas, Lee, Carman, Ostendorf. "NAY": Rieker. Motion carried.

ITEM #12
AGREEMENT
WITH LARM

Lee moved and Rieker seconded the motion to adopt the Resolution approving agreement between City of North Platte and the League Association of Risk Management (LARM) for Worker's Compensation and Property and Liability insurance coverage. Roll call vote: "AYE": Lee. "NAY": Nisley, Backenstose, Petersen, Lucas, Carman, Rieker, Ostendorf. Motion failed 1-7.

ITEM #13
APPROVE ORD 4044

Lee moved that the rule requiring Ordinance No. 4044 to approve North Platte's Water Rates to be effective October 1, 2020 to be read on three different dates be suspended. Petersen seconded the motion. Roll call vote: "AYE": Nisley,

Backenstose, Petersen, Lucas, Lee, Carman, Rieker, Ostendorf.
"NAY": None. Motion carried.

Mayor Livingston instructed Ordinance No. 4044 to be read one time by title only. Lee moved and Petersen seconded the motion to approve Ordinance No. 4044. Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lucas, Lee, Carman, Rieker, Ostendorf. "NAY": None. Motion carried.

ITEM #14
APPROVE ORD 4045

Lee moved that the rule requiring Ordinance No. 4045 to approve North Platte's Wastewater Rates to be effective October 1, 2020 to be read on three different dates be suspended. Petersen seconded the motion. Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lucas, Lee, Carman, Rieker, Ostendorf. "NAY": None. Motion carried.

Mayor Livingston instructed Ordinance No. 4045 to be read one time by title only. Lee moved and Rieker seconded the motion to approve Ordinance No. 4045. Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lucas, Lee, Carman, Rieker, Ostendorf. "NAY": None. Motion carried.

ITEM #15
APPROVE ORD 4046

Lee moved that the rule requiring Ordinance No. 4046 to approve North Platte's Electric Rates to be effective October 1, 2020 to be read on three different dates be suspended. Petersen seconded the motion. Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lucas, Lee, Carman, Rieker, Ostendorf. "NAY": None. Motion carried.

Mayor Livingston instructed Ordinance No. 4046 to be read one time by title only. Lee moved and Rieker seconded the motion to approve Ordinance No. 4046. Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lucas, Lee, Carman, Rieker, Ostendorf. "NAY": None. Motion carried.

ITEM #16
ISSUE WARRANT
TO PAULSEN, INC.

Lee moved and Backenstose seconded the motion to adopt the Resolution approving claims and authorizing the issuance of a warrant to Paulsen, Inc. in the amount of \$246,735.33. Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lee, Carman, Rieker, Ostendorf. "NAY": None. "ABSTAIN": Lucas. Motion carried.

ITEM #17
CLAIMS

Lee moved and Petersen seconded the motion to approve the Claims. Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lucas, Lee, Carman, Rieker, Ostendorf. "NAY": None. Motion

carried.

ADJOURN

Lee moved and Rieker seconded the motion to adjourn. Roll call vote: "AYE": Nisley, Backenstose, Petersen, Lucas, Lee, Carman, Rieker, Ostendorf. "NAY": None. Motion carried.

Adjourned at 6:48 p.m.

Angela Gilbert

Angela Gilbert, City Clerk